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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION

AHERN RENTALS, INC., a Nevada
Corporation,

Plaintiff,

vs.

EQUIPMENTSHARE.COM INC, a Delaware
corporation, MATTHEW ALLEN, an
individual; DERRICK TORRES, an individual,
and DOES 1-100,

Defendants.

Case No. 2:19-cv-01788-MCE-KJN

**STIPULATION AND ORDER TO
CONTINUE DISCOVERY STAY**

Complaint Filed: September 9, 2019
FAC Filed: July 20, 2020
Trial Date: None set

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MATTHEW ALLEN and DERRICK TORRES
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1 Plaintiff Ahern Rentals, Inc., Defendant EquipmentShare.com Inc, Defendant Matthew Allen,
2 and Defendant Derrick Torres, by and through their counsel of record, hereby enter into the following
3 stipulation with reference to the following facts:

4 **RECITALS**

5 On May 7, 2020, the Court granted Defendants' motions for a protective order and stayed
6 discovery until 30 days after a ruling on Defendants' then-pending motions to dismiss. (Dkt. No. 60.)

7 On June 29, 2020, the Court granted Defendants' motions to dismiss the Complaint. (Dkt. No.
8 61.)

9 On July 20, 2020, Plaintiff filed a First Amended Complaint. (Dkt. No. 62.) Defendants intend
10 to file motions to dismiss the First Amended Complaint.

11 To avoid unnecessary motion practice, litigation costs, and to conserve judicial resources, the
12 parties hereby stipulate as follows:

- 13 • The current discovery stay in this case will remain in place until 30 days after the Court
14 issues an order resolving the forthcoming motions to dismiss.

15 **IT IS SO STIPULATED.**

16 Dated: July 27, 2020

BAKER & MCKENZIE LLP

18 By: /s/ Michael G. Leggieri
19 Michael E. Brewer
20 Michael G. Leggieri
Attorneys for Defendant
EQUIPMENTSHARE.COM INC

21 Dated: July 27, 2020

MORGAN, LEWIS & BOCKIUS LLP

23 By: /s/ Jason P. Brown [with permission]
24 Christopher J. Banks
25 Jason P. Brown
26 Aleksandr Markelov
Attorneys for Plaintiff
27 AHERN RENTALS, INC.

1 Dated: July 27, 2020

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FERBER LAW, APC

By: Connor M. Day [with permission]
Michelle R. Ferber
Conner M. Day
Attorneys for Defendants
MATTHEW ALLEN and DERRICK
TORRES

ORDER

Pursuant to the stipulation of the parties, and good cause appearing, IT IS HEREBY ORDERED that Discovery in this case is STAYED until 30 days after the Court issues an order resolving the forthcoming motions to dismiss.

IT IS SO ORDERED.

Dated: July 29, 2020

/1788.ahern

KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

KENDALL J. NEWMAN

UNITED STATES MAGISTRATE JUDGE